

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

SUPERSEDING INDICTMENT FOR STOWAWAY ON A VESSEL
AND FOR REENTRY OF REMOVED ALIEN

UNITED STATES OF AMERICA

* CRIMINAL DOCKET NO. 09-059

v.

* SECTION: "K" (3)

CARLOS ALBERTO CUERO

* VIOLATIONS: 18 U.S.C. § 2199

a/k/a Carlos Alberto Cuero-Hernandez

8 U.S.C. § 1326(a)

a/k/a Carlos Cuero Hernandez

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a/k/a Carlos A. Cuero

*

a/k/a Jose Acosta

*

a/k/a Jhonson Betwell

*

a/k/a Johnson Betwell

a/k/a Carlos Hernandez

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a/k/a Carlos C. Hernandez

a/k/a Francisco Moreno

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a/k/a Carlos Alberto Hernandez

a/k/a Carlos Medina

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a/k/a Carlos Hernandez

a/k/a Charles Walker

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The Grand Jury charges that:

COUNT 1

On or about December 22, 2008, the defendant, **CARLOS ALBERTO CUERO, a/k/a**
Carlos Alberto Cuero-Hernandez, a/k/a Carlos Cuero Hernandez, a/k/a Carlos A. Cuero, a/k/a

Jose Acosta, a/k/a Jhonson Betwell, a/k/a Johnson Betwell, a/k/a Carlos Hernandez, a/k/a Carlos C. Hernandez, a/k/a Francisco Moreno, a/k/a Carlos Alberto Hernandez, a/k/a Carlos Medina, a/k/a Carlos Hernandez, a/k/a Charles Walker, with the intent of obtaining transportation, and having boarded, entered and secreted himself aboard a vessel, to wit: the M/V Warta, in Honduras, outside the jurisdiction of the United States, without the consent of the owner, charterer, master and person in command of said vessel and did with like intent remain aboard said vessel after the vessel left Honduras, and was thereon when the vessel entered St. Bernard Parish, Louisiana, in the Eastern District of Louisiana, within the jurisdiction of the United States; all in violation of Title 18, United States Code, Section 2199.

COUNT 2

On or about December 22, 2008, in St. Bernard Parish, in the Eastern District of Louisiana, the defendant, **CARLOS ALBERTO CUERO, a/k/a Carlos Alberto Cuero-Hernandez, a/k/a Carlos Cuero Hernandez, a/k/a Carlos A. Cuero, a/k/a Jose Acosta, a/k/a Jhonson Betwell, a/k/a Johnson Betwell, a/k/a Carlos Hernandez, a/k/a Carlos C. Hernandez, a/k/a Francisco Moreno, a/k/a Carlos Alberto Hernandez, a/k/a Carlos Medina, a/k/a Carlos Hernandez, a/k/a Charles Walker,** an alien, was found in the United States after having been officially deported and removed therefrom to Colombia on or about February 18, 1998, at or near Miami, Florida, and without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, as provided for in Title 6, United States Code, Sections 202(3), 202(4), and 557, having expressly consented to the defendant's reapplication for admission into the United States; all in violation of Title 8, United States Code, Section 1326(a).

NOTICE OF SENTENCING ENHANCEMENT

_____ Now comes the United States of America, by and through Jim Letten, the United States Attorney for the Eastern District of Louisiana, to give notice that on or about January 11, 1995, in the Eleventh Judicial Circuit for Dade County, Florida, the defendant, **CARLOS ALBERTO CUERO, a/k/a Carlos Alberto Cuero-Hernandez, a/k/a Carlos Cuero Hernandez, a/k/a Carlos A. Cuero, a/k/a Jose Acosta, a/k/a Jhonson Betwell, a/k/a Johnson Betwell, a/k/a Carlos Hernandez, a/k/a Carlos C. Hernandez, a/k/a Francisco Moreno, a/k/a Carlos Alberto Hernandez, a/k/a Carlos Medina, a/k/a Carlos Hernandez, a/k/a Charles Walker** was convicted of lewd assault act. Because of this aggravated felony conviction, if the defendant is convicted for a violation of Title 8, United States Code, Section 1326(a), the defendant's

sentence will be subject to a maximum sentence of imprisonment for not more than 20 years.

Title 8, United States Code, Section 1326(b)(2).

A TRUE BILL:

FOREPERSON

JIM LETTEN
United States Attorney
Louisiana Bar Roll Number 8517

JAN MASELLI MANN
First Assistant U.S. Attorney
Louisiana Bar Roll Number 9020

ROBERT WEIR
Special Assistant United States Attorney
Mississippi Bar Number 101464

New Orleans, Louisiana
April 17, 2009